

Art Unit: 1614

EXAMINER'S AMENDMENT

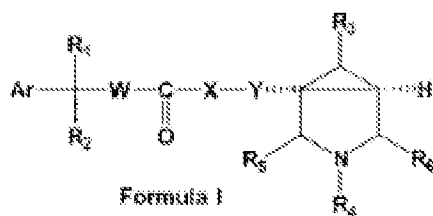
An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with George E. Heibel on May 27, 2009.

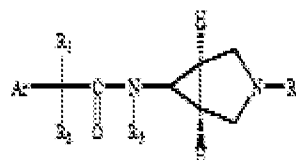
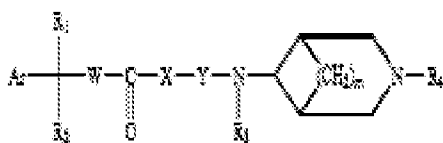
1. In claim 1, line 1, delete [having] after "Compounds" and insert --defined by--.
2. In claim 1, lines 5-10, delete [an aryl or a heteroaryl ring having 1-2 hetero atoms selected from the group consisting of oxygen, sulfur and nitrogen atoms, the aryl or heteroaryl rings may be unsubstituted or substituted by one to three substituents independently selected from lower alkyl (C₁-C₄), lower perhaloalkyl (C₁-C₄), cyano, hydroxy, nitro, halogen (e.g. F, Cl, Br, I), lower alkoxy (C₁-C₄), lower perhaloalkoxy (C₁-C₄), unsubstituted amino, N-lower alkylamino (C₁-C₄) or N-lower alkylamino carbonyl (C₁-C₄)] and insert --phenyl-- after "represents".
3. In claim 1, line 12, delete [(e.g. fluorine, chlorine, bromine, and iodine)] after "halogen".
4. In claim 1, lines 13-19, delete [an aryl or a heteroaryl ring having 1-2 hetero atoms selected from the group consisting of oxygen, sulfur and nitrogen atoms, the aryl or heteroaryl rings may be unsubstituted or substituted by one to three substituents independently selected from lower alkyl (C₁-C₄), lower perhaloalkyl (C₁-C₄), cyano, hydroxy, nitro, halogen (e.g. F, Cl, Br, I), lower alkoxy (C₁-C₄), lower perhaloalkoxy (C₁-C₄), unsubstituted amino, N-lower alkylamino (C₁-C₄) or N-lower alkylamino carbonyl (C₁-C₄)] and insert --or phenyl-- after "C₃-C₇ cycloalkenyl ring".

REASONS FOR ALLOWANCE

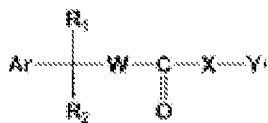
The following is an examiner's statement of reasons for allowance. The claims of the instant application are drawn to a compound represented by the following formula (I),



The closest prior art of US patent 7,232,835, which has the common assignee, teaches 3,6-disubstituted azabicyclo hexane derivatives of the following structures:



Although the compounds of US patent 7,232,835 has a similar structure with the instant invention when X is NR and Y is a bond in the formula I, the position of the moiety of



attached to the azabicyclo ring is different from the prior art. Also, the reference does not provide any suggestion or motivation to change the position of such large moiety. In addition, there is no other prior art to provide any suggestion or motivation to make such modification. Thus, the compounds of the instant invention are both novel and unobvious over the prior art.

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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

CONCLUSION

Claims 1-3 are allowed.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BONG-SOOK BAEK whose telephone number is 571-270-5863. The examiner can normally be reached 8:00-5:00 Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ardin Marschel can be reached on 571-272-071818. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Brian-Yong S Kwon/
Primary Examiner, Art Unit 1614

BONG-SOOK BAEK
Examiner, Art Unit 1614

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